

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEVIN TREVONE LAMAR, III,

Plaintiff,

v.

SONN, TOON, T. LEWIS, and FRANCO,

Defendants.

1:23-cv-00462-HBK (PC)

ORDER GRANTING APPLICATION TO
PROCEED *IN FORMA PAUPERIS*

(Doc. No. 2)

ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY THE
FRESNO COUNTY SHERIFF


Plaintiff—a prisoner—initiated this action on March 27, 2023, by filing a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983. (Doc. No. 1, Complaint). Plaintiff seeks leave to proceed *in forma pauperis* on his Complaint and submitted a copy of his prison trust fund statement in support. (Doc. No. 2). Plaintiff has made the showing required by § 1915(a) to proceed *in forma pauperis* but remains obligated to pay the full statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff must make monthly payments in the amount of twenty percent (20%) of the preceding month's income credited to Plaintiff's trust account. 28 U.S.C. § 1915(b)(2). The Fresno County Sheriff is required to send to the Clerk of the Court payments from plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. *Id.*

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According, it is **ORDERED**:

1. Plaintiff's application to proceed *in forma pauperis* (Doc. No. 2) is **GRANTED**.
2. Pursuant to 28 U.S.C. § 1915 (b)(1) The Fresno County Sheriff or his designee shall collect payments from Plaintiff's prison trust account in an amount equal to twenty percent (20%) of the preceding month's income credited to the prisoner's trust account and shall forward those payments to the Clerk of the Court each time the amount in the account exceeds \$10.00 until a total of \$350.00 has been collected and forwarded to the Clerk of the Court. The payments shall be clearly identified by Plaintiff's name and the case number assigned to this action.
3. The Clerk of the Court is directed to serve a copy of this Order and a copy of Plaintiff's *in forma pauperis* application (Doc. No. 2) on the Fresno County Sheriff located at P.O. Box 872, Fresno, CA 93712.
4. The Clerk of the Court is directed to serve a copy of this Order on the Financial Department, U.S. District Court, Eastern District of California, Sacramento Division.

Dated: May 12, 2023


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE